

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

Julius B. Robinson,	)	
	)	C/A No.: 2:04-21882-RBH
Plaintiff,	)	
vs.	)	
	)	<b>ORDER</b>
Jo Anne B. Barnhart,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	
	)	

---

This matter is before the court for review of the Magistrate Judge's Report and Recommendation ("the Report") made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 83.VI.02(A)(DSC).

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections . . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

*Wallace v. Housing Auth. of the City of Columbia*, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

This is an action pursuant to Sections 205(g) of the Social Security Act, as amended (42 U.S.C. §§ 405(g)), to obtain judicial review of a final decision by the Commissioner of Social Security which denied plaintiff's claim for disability insurance benefits. The Magistrate Judge to whom this matter was referred has filed a detailed and comprehensive report suggesting that the decision of the Commissioner should be affirmed. The parties have not filed any objections to the

report.

It is therefore ordered that the Report be accepted, adopted, and incorporated herein by reference. The decision of the Commissioner is **AFFIRMED** and this case is **DISMISSED**.

**IT IS SO ORDERED.**

s/ R. Bryan Harwell

R. Bryan Harwell

United States District Judge

April 18, 2005

Florence, South Carolina